United Nations A/65/193

General Assembly

Distr.: General
2 August 2010
English
Original: Arabic and English

Sixty-fifth session

Request for the inclusion of a supplementary item in the agenda of the sixty-fifth session

Verification of the implementation of nuclear disarmament obligations

Letter dated 29 July 2010 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

I have the honour to request, in accordance with rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the sixty-fifth session of the General Assembly of a supplementary item entitled "Verification of the implementation of nuclear disarmament obligations".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum in support of the above request (annex I) and a draft resolution (annex II) are attached.

It would be appreciated if the present letter and its annexes could be circulated as a document of the General Assembly.

(*Signed*) Abdurrahman M. **Shalgham**
Ambassador
Permanent Representative

10-47282 (E) 190810 190810

Please recycle

Annex I

[Original: Arabic]

Explanatory memorandum

Since the invention of nuclear weapons life on Earth has been under a grave threat. Major international efforts should be undertaken with a view to preventing the use of such weapons and reaching agreement on their complete elimination.

The Treaty on the Non-Proliferation of Nuclear Weapons was a major step towards sparing humankind the scourge of nuclear weapons. It established inspection and monitoring mechanisms to prevent diversion of nuclear energy from peaceful uses to nuclear weapons, and also provided that nuclear States should pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.

The nuclear States insist that they are carrying out their nuclear disarmament obligations, while at the same time they seek to conclude additional agreements that place new obligations on the non-nuclear-weapon States. In the meantime, there is no international mechanism for verifying that nuclear-weapon States are making nuclear weapons reductions with a view to achieving the ultimate goal of complete nuclear disarmament under strict international control.

With the foregoing in mind, the international community must strive for the realization of the two central goals of the Treaty on the Non-Proliferation of Nuclear Weapons, namely, nuclear disarmament and nuclear non-proliferation, by ensuring fulfilment by all States of their obligations under the Treaty and ensuring accession to the Treaty by all States as non-nuclear States.

International peace and security will not be achieved by possession of nuclear weapons or the threat of their use, but rather by promoting the principles of cooperation and understanding. Accordingly, the Libyan Arab Jamahiriya voluntarily announced on 19 December 2003 that it was renouncing all programmes and equipment related to weapons of mass destruction. In the draft resolution annexed to the present letter, the Libyan Arab Jamahiriya calls on all nuclear-weapon States, including those that are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to submit all their nuclear installations to inspection and monitoring by the International Atomic Energy Agency. Our sole objective is to bring about the fulfilment by nuclear-weapon States of their nuclear disarmament obligations.

Annex II

[Original: Arabic]

Draft resolution
Verification of the implementation of nuclear disarmament obligations

The General Assembly,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, which called for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the international nuclear non-proliferation regime and an essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy,

Taking into account the outcome of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which was held from 3 to 28 May 2010,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Stressing the importance of the 13 steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996, in which the Court's consensus was that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Affirming the need for early entry into force of and strict adherence to the Comprehensive Nuclear-Test-Ban Treaty,

Recognizing also the importance of the continuation of efforts to establish nuclear-weapon-free zones around the world and, in particular, in the Middle East, which would play an effective role in achieving international peace and security,

Noting the recent positive statements by nuclear-weapon States regarding their intention to pursue actions to achieve a world free of nuclear weapons, while reaffirming the need for urgent concrete actions by nuclear-weapon States to achieve nuclear disarmament within a specified framework of time,

Welcoming the signature on 8 April 2010 in Prague of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms as a step towards greater reductions in those two countries' nuclear arsenals, with a view to their eventual total elimination,

Stressing the need to verify implementation of disarmament commitments by nuclear-weapon States, and the importance of monitoring unilateral, bilateral and multilateral measures taken by those States to reduce their nuclear weapons arsenals and stocks of nuclear materials,

Noting that a number of nuclear-weapon States continue to permit inspections of their nuclear facilities on a voluntary basis,

Noting that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control,

1. *Stresses* the central role of the Treaty on the Non-Proliferation of Nuclear Weapons in the achievement of nuclear disarmament and nuclear non-proliferation, and calls on all States parties to fulfil their obligations under that Treaty;

2. *Affirms* the vital importance of universality of the Treaty on the Non-Proliferation of Nuclear Weapons and calls on all States not parties to the Treaty to accede as non-nuclear-weapon States to the Treaty promptly and without any conditions, and to comply with its provisions in the interim;

3. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

4. *Recognizes* that the time is now opportune for all the nuclear-weapon States to take effective disarmament measures under effective and verifiable international supervision;

5. *Stresses* the importance of applying the principles of transparency, irreversibility and verifiability to the process of nuclear disarmament and to measures to limit or reduce nuclear arms and all other weapons of mass destruction and their delivery systems;

6. *Calls* on all nuclear-weapon States, including those not parties to the Treaty, to submit all their nuclear installations to the Comprehensive Safeguards System of the International Atomic Energy Agency (IAEA) as part of an agreement negotiated and signed with the Agency, for the exclusive purpose of verification of the fulfilment of the obligations of nuclear-weapon States;

7. *Decides* that all nuclear facilities of Member States of the United Nations shall be subject to mandatory inspection by IAEA;

8. *Requests* the Secretary-General to submit a report to the sixty-sixth session of the General Assembly on implementation of the present resolution;

9. *Decides* to remain seized of the matter.